



# Hendry County Sheriff's Office Central Records

## Chapter 100 Records



**Eff. Date:**  
06/10/2019

**Review Date:**  
06/10/2022

**Revised Date:**

**Policy # CR 103.06**

**Subject: Confession Exemption**

I. **PURPOSE:** To establish guidelines governing requests for the inspection, copying and release of records which may be considered confidential.

II. **SCOPE:** This order shall apply to all records section members.

III. **POLICY:** It is the policy of the Hendry County Sheriff's Office that all public records in the custody of the agency shall be open for inspection by any person. This policy is limited only to the extent that records or parts of records in the custody of the agency are made confidential and/or exempt from disclosure pursuant to Chapter 119, Florida Statutes (Public Records Act) or other provisions of law.

#### IV. PROCEDURE:

##### A. General:

Unless and until judicially or legislatively determined otherwise, only such portions of the initial complaint and arrest report in a criminal case file which reveal the "**substance of a confession**," is exempted from the provisions of §119.07(1)(a), F.S., and if such exemption is asserted by the custodian of such records, the custodian shall delete or excise only that portion of the record for which the exemption is asserted and the remainder of the record must be provided for inspection and examination as provided in §119.07(1), F.S.. Actions witnessed by the deputy shall remain un-redacted and shall be made available for public disclosure. If any concern exists in determination of redaction material, contact the Sheriff or designee.

#### V. GLOSSARY

**SUBSTANCE OF A CONFESSION** (as stated in Florida Attorney General Advisory AGO -84-33): The material parts of a statement made by a person charged with commission of a crime in which he or she acknowledges guilt of the essential elements of the act or acts constituting the entire criminal offense.

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